

PATENT
Attorney Docket No. 4001-1200

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Attn: Appln. Processing Div.
Special Processing and
Correspondence Branch

Patric HEIDE, et al.

Application No. 10/531,983

Group Art Unit: Unknown

Filed: April 20, 2005

Examiner: Unknown

Title: **MULTISTATIC METHOD AND DEVICE FOR RADAR MEASURING A
CLOSE DISTANCE**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**RECEIVED**

Mail Stop: Missing Parts
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23 JAN 2006

Sir:

Legal Staff
International Division

This paper is submitted in response to the accompanying Notification of Missing Requirements under 35 U.S.C. §371 mailed September 22, 2005.

The Notification indicates that the originally-filed declaration of April 20, 2005 is unacceptable, and does not comply with 37 CFR 1.497(a) and (b) as the title has not been translated.

It is however pointed out that 37 CFR 1.497 does not require that the title of the invention be translated. That rule requires that the declaration identify the specification to which it is directed. It is respectfully submitted that the originally-filed declaration sufficiently identifies the specification to which it is directed.

Indeed, Item VI of Section 602 of the MPEP clearly states that one acceptable combination of information supplied in a declaration to identify the specification to which it is directed, is the serial number and filing date. In the originally filed declaration, this acceptable

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information is provided as PCT/EP03/12188 filed on October 31, 2003, on page 1 of the declaration. The fact that the title of the invention was not translated on the declaration, should not in and of itself render the declaration unacceptable within the meaning of 37 CFR 1.497, as the declaration sufficiently identifies the specification to which it is directed.

In view of the above, it is respectfully submitted that the current declaration should be held acceptable and that no additional surcharge is necessary.

Respectfully submitted,

YOUNG & THOMPSON



Benoit Castel, Reg. No. 35,041
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

BC/pmt

Date: November 22, 2005

Rec'd PCT/PTO 22 NOV 2005

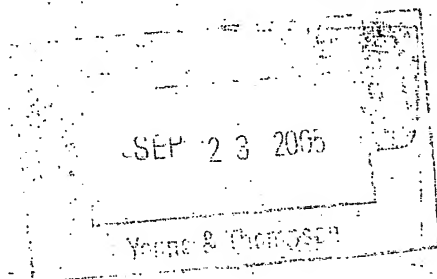


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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,983	Patric Heide	4001-1200

466
YOUNG & THOMPSON
745 SOUTH 23RD STREET
2ND FLOOR
ARLINGTON, VA 22202



INTERNATIONAL APPLICATION NO.	
PCT/EP03/12188	
I.A. FILING DATE	PRIORITY DATE
10/31/2003	11/08/2002

CONFIRMATION NO. 5796
371 FORMALITIES LETTER



OC000000017062619

Date Mailed: 09/22/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/20/2005
- English Translation of the IA filed on 04/20/2005
- Copy of the International Search Report filed on 04/20/2005
- Copy of IPE Report filed on 04/20/2005
- Preliminary Amendments filed on 04/20/2005
- Information Disclosure Statements filed on 04/20/2005
- Oath or Declaration filed on 04/20/2005
- Request for Immediate Examination filed on 04/20/2005
- Copy of references cited in ISR filed on 04/20/2005
- U.S. Basic National Fees filed on 04/20/2005
- Assignment filed on 04/20/2005
- Priority Documents filed on 04/20/2005
- Power of Attorney filed on 04/20/2005
- Specification filed on 04/20/2005
- Claims filed on 04/20/2005
- Abstracts filed on 04/20/2005
- Drawings filed on 04/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does

not comply with 37 CFR 1.497(a) and (b) in that it:

- Title of Declaration has not been translated.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,983	PCT/EP03/12188	4001-1200